

INTERNET IN THE TIME OF CRISIS



Muira McCammon



Suchi Pahi



David Morar

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Internet in Crisis

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Dustin Loup

All right, so we are right upon the hour. And I know that it's already late in the week and we're rapidly approaching the weekend here. While people trickle in, I just want to kind of run through our intro to this roundtable and to this series. So, thank you all for for joining and being a part of the first in this series of roundtables, which will be hosted jointly by the Internet Law and Policy Foundry as well as ISOC DC. And when we were brainstorming about this series, we started with the goal of trying to find a way to bring our two communities together. We've existed in parallel for a while and have a lot of overlap. I imagine not only in the issues we're interested in, but people that are part of our communities, and we wanted to, increase awareness of each other's work, and provide greater opportunities for our members to engage in these conversations during a time of really critical importance. For each of these events, we hope to bring in fresh voices into the discussion, including both the speakers and the participants. And so, this is a great way to kick off this Roundtable, at least for ISOC DC events. I think we have pretty much a slate of new speakers here. So, that's really exciting for for me, and by the way, I am Dustin Loup, Executive Director of ISOC DC. And so with that, let's kick things off right now. There's an unprecedented

focus on the role of the Internet in our lives and with the global payments. demick the protests and a larger movement against systemic racism and injustice in the US and the elections that just happened to be right around the corner. With all of this happening, we're also facing introduced legislation in the US that is aimed at things like encryption and Section 230. And recently, we've seen policies put into consideration that threatened to fragment the global Internet just to cap everything off. We're seeing similar pressures globally from there, parts of the world as well that threatened to change the way that the Internet operates and determine how we use it. And so we're going to dive deeper into some of these specifics in some of our later roundtables.

Dustin Loup

But we wanted to kick things off with a higher level view and intro into what's happening in this current environment in which we face a number of crises and what this means for the Internet, and what the Internet means for our navigation through these times? So, before we dive into the conversation about the internet during these exceptional times, it would be good to discuss what exactly we mean by the Internet. And so, when we refer to the Internet, such as the title of this event, the Internet and time of crisis, we're often either referring to the physical and technical infrastructure that keeps everything running, or the technologies that rely on this infrastructure to perform their function. Ultimately, it's a complex system with many different parts. And we often just kind of have a blanket term the Internet for all of it, and so, regardless of how these decisions are made, or what level the decision visions are made on, the consequences, intended or not, may be unintended on other levels. So, it's not always as simple as as that dichotomy. I don't want to spend too much time on this definition, but I would like to start by giving everybody an opportunity to introduce themselves, and give us an idea of what they're working on, what they're focusing on, and help us understand what lens each other are viewing the Internet through. So, Muira, we start with you.

Muira McCammon

Sure, thanks so much for that. I am a PhD candidate at the Annenberg School for Communication, and before that I was working as a freelance reporter covering Guantanamo Bay. And so, a lot of my own research is interested in flows of individuals and people in and out of isolated, inaccessible, and militarized spaces. I'll connect that to Internet policy as we go along. But, for the purposes of today, what I'm really hoping to talk more about, and kind of shine a light on, is government use of social media platform. I focus specifically on the thousands of federal agency run accounts, which are often overlooked in the journalistic discourse around Donald Trump's Twitter feed, but I also look at the kind of history of government efforts to create their own social media platforms. And so, by that I'm looking specifically at TroopTube that was like an attempt by the Department of Defense to create a counterpart to YouTube back in the early 2000s, and also

other platforms like regulations.gov, where citizens go to post public comments that are directed towards federal agencies. That's kind of the part of the Internet that I look at, and I'm thinking about these days, and want to make other people think about more as well.

Dustin Loup

Right, thank you for for that. And why don't we go to Yaso next?

Yasodara Cordova

Great, thank you for inviting me. It's a pleasure to be here to speak about these issues. I work at the World Bank right now as a consultant. I work in the intersection of product and governance, and I help countries to implement technology in their governance infrastructure. I think that that sums it up.

Dustin Loup

Awesome. Thank you. And Suchi?

Suchi Pahi

Hey, guys. I am a data privacy and cybersecurity lawyer with Rally Health, which is a wellness platform here in the US with a focus on health, and I'm really excited to be here today. Just to sort of touch on some of the things that are threatening in the space for someone who's in cybersecurity, as a lawyer, specifically things like disinformation, data localization and scams for COVID-19.

Dustin Loup

Great, thank you. And David?

David Morar

Of course. Thank you so much, Dustin, and thank you for having me. My name is David Morar. I am a visiting scholar at the Digital Trade and Data Governance Hub at the Elliott School at George Washington University. I'm also a fellow at the Digital Interest lab at NYU. My work sort of starts at the level of Internet Governance that deals a little bit with the infrastructure broadly. I focused, during my dissertation work, on Internet Governance institutions such as ICANN, Internet Corporation for Assigned Names and Numbers, IGF, the Internet Governance Forum, and IETF, the Internet Engineering Task Force. Since then I've sort of moved closer into the other parts of the Internet. I'm currently working on a really interesting project dealing with intermediary liability and content moderation. I'm still sort of in the space of Internet infrastructure a little bit with some

work, and also, here and there, do some some privacy stuff. So I'm a bit all over the map. That's me.

Dustin Loup

Awesome. Well, thank you all. I'm really excited to have such a wide range of expertise and focus, as we talk about what everything that's been happening means for for the Internet, and what we should be looking out for, and where we can go from here. So, I'm really looking forward to this. The Internet has been a resilient force over the past several decades, facing a variety of tests from security threats, to governmental challenges, to recent backlash against some of the Internet's less favorable outcomes, although that is of course subjective, depending on who you ask, and with the the Internet, increasingly becoming essential in our lives, these forces trying to shape the Internet are only going to increase their pressure, and so the stakes are getting even higher. As we move into assessing this current situation and what it means for the future, I just wanted to start off and talk about what has made the Internet such a useful and powerful force for our society. So, David, I wanted to stay with you, and just ask about what has enabled the infrastructure's resilience, and how have the current structures in place impacted the way we use the Internet and, and how it limits or enables that?

David Morar

Absolutely. Thank you for that question. So, I think that the amazing thing is that, when the pandemic hit, we all kind of had to find a way to shelter in place, and in order to connect to everybody else, to connect to our friends, to our loved ones, to people that weren't close to us, we all ran to the Internet. And we can say that at some points, the Internet, our own Internet connection may be slow. You know, we're all streaming TV shows, or news, or whatever, but the Internet infrastructure itself has been incredibly resilient. It is, I think, a testament to the fact that the way that the Internet was created was, in fact, to be to be sort of a network, right? So, we're looking at structures that weren't necessarily prepared for such a surge from multiple different points rather than from clusters of points, like universities, or office buildings, but from literally everywhere else, they weren't prepared for it. But the way that companies, and the way that Internet products, have now been able to scale up is due to the fact that they were able to sort of do it modularly, and add more support, add more bandwidth, add more space in the cloud, which then allows the Internet to continue to run in times where it is crucial to a lot of people's lives and livelihoods. On top of that, I think that this also allowed the Internet, in a sort of change that it wouldn't otherwise be in -- a lot of times when we're dealing with something that's negative -- we're able to come out of it more fortified, and we're able to make more important changes, because we now realize what the concerns are. I feel like there's there's a lot of that happening right now. There's a lot of upgrades happening to the infrastructure of the Internet, and to each

individual company's infrastructure. So I think that, in a way, to start us off positively, the Internet has held.

Dustin Loup

Awesome, well, thank you for getting us started on a positive note. I have a ton of questions from all of you. Before we move on to the next question, I just want to see if there's anybody else that would like to add to this piece of the infrastructure, or observations around how it's been operating during the pandemic.

Suchi Pahi

I think I want to echo a little bit of what David's saying with the infrastructure because, a lot of times I'm working on conference calls that are cross continent, and it's much more of a clean experience now than it was before. And at the same time, sort of on the diversity side, or ethics, not really sure where this is going to fall, but things like the Kashmir Internet lockdown are much easier to make public, because you see how critical that type of access and infrastructure is.

Dustin Loup

Yeah, thank you for that. I think that you know, you brought up an important point about how what we're going through has really made a lot of things visible that were -- some people may have known about before, but it was a lot easier to just kind of push aside, but we've been faced with, and confronted with, these issues. You see the same thing with the digital divide in the US, and all the kids that don't have access to the Internet as they're forced to learn online for the first time, while teachers also figure out how to instruct. So, I think we'll be touching on this thread a lot about issues that have been surfaced, and emerged during this time. Is there anybody else that wanted to touch on that before we go on to the next piece?

Dustin Loup

If not, Suchi I will stay with you actually. So, of course, things have been resilient, but I don't think we have to tell anybody here that the Internet is not perfect. It faces numerous vulnerabilities, both on a technical level and a societal level. And, you know, these exist, whether we're talking about the technical pieces of the infrastructure, or the services that run on top of it, especially during a time when pretty much everything's online, including a lot of the intimate aspects of our lives that we had handled in person, like health care and things like that. With your experience in cybersecurity and privacy. I just wanted to kind of hear from you about the different vulnerabilities that you face, and deal on a regular basis, and how that's changed over the past several months.

Suchi Pahi

Yeah, I think, for little bit of context, as a cybersecurity lawyer, a lot of my work, just generally, not with Rally Health specifically, but across the board with clients I've had in the last six years, has been a little bit of playing translator between technical cybersecurity, and your management, and your C suite, and then the lawyer world. Those are sort of three different modes of communication. Pre-COVID-19 it was already a little bit difficult, because you needed to make sure you're getting the right information about what kinds of cyber security threats were out there for your clients, whether they were the financial industry, or in the biomedical research, or whether it was healthcare. Now, all of a sudden, it went from drinking from a firehose to just head first into a waterfall with your mouth open, like worse than a firehose, I don't know how to describe this, to try to get ahead of like the increase in nation state actors that started targeting like biomedical research institutions, instead of their primary focus on financial institutions, especially during things like tax season, and stuff like that. So, all of a sudden, it wasn't just a matter of coordinating and managing three different sets of types of communication, and making sure that the collaboration happened, and incidents were resolved, there was very much like, you know, pass this along as fast as possible, and at the same time, make sure that the cybersecurity technical team is able to patch, or respond, or isolate, or whatever they needed to do on the technical side, to make sure that things keep moving forward. I think one of the other things that I'd really like to touch on is that we also have seen the problem with disinformation play out, which is, you have these social media giants who really aren't taking disinformation seriously, and so you have this rise in like Q Anon, or QNon, or whatever they're calling themselves. There's such great research going on in the disinformation community. I'm certainly not an expert in that area, but just watching them try to find out what the social media giants have enabled is wild, because it affects not just the US government, but also the Indian government with its rise of nationalism and the BJP party, and I'm sure it's had its effects in the UK, and surrounding countries near and far from Russia. So, those are sort of the pieces that we've kept an eye on in the data privacy and cybersecurity fields, as lawyers. Then also that data localization that I touched on earlier because what's happening at the foreign affairs level between the US and China is also pushing countries to be more protective of their software that operates on the Internet and say, Hey, you know what, we want more control over our data, we want more privacy this way, we want more privacy that way, your country's not respecting how we do business. So, that's a lot of my concern right now with the Internet.

Dustin Loup

Yeah, just just a few things. minor things to worry about there.

Suchi Pahi

Right.

Dustin Loup

But, but thank you for giving us an in depth tour through the different things that you're concerned about. Muira, I'd like to go to you next, and get your thoughts on some of different elements of the Internet, such as trust and accountability. Sometimes these concepts can refer to our trust in the technical aspects of the Internet, but it also applies to the platforms and technologies that run on it. Including both the users and the companies that operate those those platforms. So, I was wondering if you could talk a little bit about the trust and accountability from that perspective, and if you've noticed a discernible change with recent events.

Muira McCammon

Thanks for that question, Dustin. I use deletion as a way to enter conversations about social media. So, what I do in my own research is I use public records requests, what people generally call FOIA, as well as high fidelity web archives, to kind of try to keep track of what the government is, and by government here I'm referring primarily to US federal agencies, what they are tweeting, and then subsequently deleting. I try to understand, in a way, to what extent federal agencies right now trust big platforms, like Twitter, to be effective platforms for them to communicate with publics. This is something that governments around the world have been grappling with from the moment that Twitter and Facebook kind of came on the grid. I have been doing this work for a long time now, and began during the Obama administration to look at when and why federal agencies were deleting, and I've continued that work now. I have a lot of observations, can't fit them all into this this moment, but one thing that I do kind of want to touch on is that I think that the decision to ban political ads on Twitter has opened the door, and possibly made Twitter more interested in making sure that federal agencies are interested in being on the platform. Twitter just announced last week, actually, it was this week, seems like a blur, Twitter announced that it was going to be labeling official government accounts that were belonging to the countries that are on the UN Security Council. This didn't get a lot of coverage in the media, because Twitter has been coming up with a lot of public policy changes these days. But I think that those small policy decisions do point to giving more attention to the US administrative state. Pivoting back to what David said towards the beginning, and this notion of resilience, social media platforms that are run by the government do give people online, people around the world, the opportunity to speak directly to federal agencies. They don't always engage directly with people who are tweeting at them, but part of what my work is, is also trying to get a sense of do people feel listened to by their federal agencies on these social media platforms. You can see smaller accounts that are very active with, say, veteran communities, and veteran groups, but it becomes a completely different

conversation if we began to talk about, you know, the Department of Justice's Twitter feed. And so, I would encourage people, who are attending, to consider filing their own public records requests. It's a really important time to think about the tools that we as a collective can use, not just in the United States, but also internationally, to think about how to operationalize trust, but also how to keep track of deletion, which I could talk about forever, and we'll just put a put a stop right now. Thanks.

Dustin Loup

Yeah, thank you for that. And I think that provides a pretty good segue into what I wanted to ask Yaso about, which is taking this concept of trust and applying it to the different perspective that you have based on your work in different countries, and ask a little bit, I guess, combining all of those questions, to ask how they are leveraging the infrastructure, and addressing vulnerabilities, and how that's impacting the trust and accountability that is in place, and if you have any examples, I guess, both good and bad, if you have them of this based on your experience.

Yasodara Cordova

Great. What I can see is that some countries, especially governments, that's my main experience -- I see some governments trying to leverage channels on the web. So, websites are back, because they're faster than apps, and they are more accessible. What I see Governments trying to coordinate websites as their one stop shops. This can leverage trust in the future, especially in countries that never had any type of web presence away from the social platforms, social media, in this sort of commercial platform. This can have consequences. At the same time, I see that this coordination can provide some some strength to local infrastructure, because now governments are looking to two ways in which they can have their data localized, in which they can pay for infrastructure in local currency, in which they can leverage local companies to work with them in such partnerships to leverage their own governance infrastructure. They don't [inaudible] governance infrastructure. Of course, everything's happening really fast, and it's not always that privacy comes in first place. And not just privacy, but resilience, or the basic principles of accessibility, but there is a second, a certain clash between this local efforts and global efforts to coordinate everyone on a global Internet. So the principles of a global, open, accessible Internet, they are more threatened than than ever, I think. And I think that there's always there is a interoperability question regarding global axes global business and acts in general freedom. So I think those those those questions, especially interoperability tend to become more important especially in countries that are right now trying to put their infrastructure online their governance infrastructure. Think that's it i don't know if i was clear.

Dustin Loup

Yeah, yeah, absolutely. Thank you for that. And definitely plan to drill a little bit deeper into that when we get to the the next section here. And I just want to encourage everybody to ask questions as they arise. And we'll just kind of take them as they come in since this is a roundtable format and we want to take the opportunity to engage with the the attendees here, I see that uh, you may have beat me to the point Here, but I was going to ask the question, but it looks like you, you posted it in the chat there. So maybe we can move on to Will's question. And, and maybe everybody might have input on this, but I think that it was directed towards Muira with how can scholars and activists work in practical ways to fight the tendency towards deletion secrecy or obfuscation that large corporations and governments alike seem to perpetuate perhaps by the very nature?

Muira McCammon

Will's got a good question there. I would love a full answer from well himself, because I think he might have some words to say, but thank you. Well, I would just say that, for me, part of the journey has been talking about deletion There's a tendency when I talk about it for people to just direct the conversation to, oh, you know, there's been a lot of deletion on President Trump's Twitter feed. And I always push back and say, well, deletion has been happening for a very long time. And so there's a need when we talk more broadly about Internet policy, I think, to look at the history of the Internet, which we've we've done a bit here today. But I think that there's, you know, there's a need to try to keep track of what's going on. And there's, again, different tools we can use to do that. And not all tools work in, you know, every context. So for example, in my own work, I found that file and this maybe touches on Dan's question, too. While I've found that filing FOIA requests with federal agencies has been a very successful way of understanding Internal organizational attitudes towards social media. I spent, I've spent the summer filing state level public records requests with each State Department of Health. And it has been wild because a lot of agencies are just flat out refusing to call what they're doing deletion. I had a conversation with one public agency that said, Well, we don't delete anything. But we do remove content. And so I had to basically throw various laws at them to say, Well, you know, you have an obligation to share those records with me. And, you know, they said, Well, we can't provide you with those records. Because if we look through our email and just typed in Twitter, we get thousands of emails. And I said, Well, I never asked you to go into your inbox and just use Twitter. I asked for specific keywords in my request. So you know, things like tweet, delete, like you know, and So part of it, I think involves being resilient as a researcher and also understanding that different government agencies and different platforms are truly still. They have different norms, and they have different practices. And so when we talk about what's the norm with Twitter's public policy, it, it definitely is

not necessarily the norm would say, Facebook's public policy team. And so I think there's a real need to kind of parse those differences in a public forum, such as this one here. Thanks.

Dustin Loup

Thank you for that great response. And I wanted to give anybody else an opportunity to maybe chime in on anything that they would like to see, let's just say in terms of transparency and what we can do to enhance that. Before we go on to the next section of questions.

Yasodara Cordova

Well, that's it. I went to that that's very, very interesting and the differences in terms of perspective. From what can happen in a country that has the minimal infrastructure to attend for your request requests in countries that don't have these rules before the covid crisis hit. It's very interesting because you see this tendency of deletion, deletion of content and obfuscation. It's very strong. And I can have I can give you an example, with deforestation data in Brazil. So the government started to delete all this data, all the data they had about deforestation and deconstruct the agencies, but we had activists in place collecting this data and rebuilding this infrastructure in different places to what we see is that we might have a migration of important data from Sorry, my sense, please, we might have a migration Have this data that was in the hands of the government, to the civil society in certain places. So the trust might migrate as well.

David Morar

If I can jump in a little bit as well, I think that it's important to to also look at transparency a bit more broadly. And and look at how not just governments or companies are doing something but also look at their at their relationship. And I think that, you know, there's there's been a push globally, thankfully, for, for companies to be as transparent as they can legally with the with the kind of deletion and the kind of takedown requests that they get from governments on specific national security issues. And I know that that's, you know, a huge topic. In the privacy world, with the with the shreds two case that basically invalidated a huge, a very consequential framework that allows for American for companies that deal with America in the EU to sort of like transfer data in between them. So I think that now is as we're dealing with this crisis might be the right time to, to ask for some, you know, some for some more transparency from from corporations for, you know, government's to legislate at a national level, both for the companies to be more transparent and for you know, legislate the legislators to ask their executive branches to be more transparent as well.

Dustin Loup

Thank you and Suchi I think I saw you unmute your mic as well.

Suchi Pahi

I was thinking about the sort of Byzantine experience of trying to help with asylum and refugee cases and immigration law and find your clients or information about your clients. When it comes to transparency. If you talk to any of the lawyers who are doing immigration right now and trying to deal with ice and CBP, you'll enter the most Kafka esque situation you've ever entered. And I remember when I first dealt with that, I was thinking, it would be so nice to have someone who was good at data management and tracking to try to parse what ice and CBP kept telling people about where their clients were and when they talk to you, and things like that. And it's, it's interesting to see the many different ways where information transparency is absolutely critical to actually happen. Your Rights and executing your rights are executing what's actually enshrined in the law. And the reason I was thinking of that of that was what David said. And then what he also said as well about the deforestation data. Because if you don't have the data, you can't, you can't do anything. You can't track it. You can't tell if there's a change in you can't fix it. And it's very hard to push entities to be responsible and transparent when it's not in their best interests. So that was just a that just really struck me when he was talking over the last six years or so what I've seen in that space, so.

Dustin Loup

Well, thank you all for jumping in on on that great question. You know, we're really lucky to have such a great range of expertise and experience on this in this discussion today. And I want to kind of switch gears here a little bit. to just ask about your specific observations within the work of your field, and specifically highlighting some of the recent trends that have either emerged or been exacerbated by the recent events. And I think as we're talking, we're showing why we use crises, plural, I mean, the deforestation in the Amazon. And all of these other things show that there's a lot more happening than just the the pandemic which tends to take up a lot of our mental bandwidth. But want to focus in on kind of the changes that we've seen in the recent months, and Yaso I'll start with you this time and kind of kick it off with that more global perspective and give you an opportunity to to drill a little bit deeper into what you were talking about earlier, and providing a little more insight into some of the risks. Ponce's and what that might mean not only for the kind of infrastructure and interoperability long term, but for the the people that are being served by these solutions that are being rolled out and, and what the implications might be in any concerns that perhaps should be addressed in that.

Yasodara Cordova

Alright, so Continuing from what I was saying about more and more governments building digital infrastructure, not just to offer social benefits, for example, you can see push for digital money,

digital currencies right now, to distribute social benefits and those This movement is doesn't have transparency at all. We cannot track what's happening. We cannot track how the the platforms are going to work. Their ease of movement to Offer digital IDs, there is a push for that, because it's a way to easily sort, classify, distribute and share social benefits and give people the rights to have access to their documents and other official article artifacts, let's say like that. And this is being carried out in a hurry in several countries, without the proper public policy discuss discussion, resulting in loss of privacy, the possibility of locking down this platforms, this infrastructure, if something happens in the country, and COVID is also it's always the excuse. We can see that there is a push for that because there's so many social distancing norms in place. There are And you can see that this is really clear in countries like Brazil or African countries like Mozambique, Angola, where you can see people, the governments pushing for integrating tuition of digital IDs with social platforms for easiness and payments and frictionless payments, frictionless transference of data. So we can see that there is a movement, also called Digital colonization happening in this country is right now. And there is not a discussion about the infrastructure to distribute the benefits of this data collection to the citizens. Very few actors are talking about this in terms of global business. fairness. So this is very important, because big data was being collected before. But I think we now there's a hurry, there's a rush to implement this very fast. And in a certain way, such questions are secondary now, because why worry with privacy if you have to distribute \$100 a month to people that doesn't have other income sources? So I think somehow, these questions are being left to be talked later, when it's too late. And in this is happening a lot, apart from all this conversation about China and the US. So it's happening fast. I think that's it.

Dustin Loup

Yaso, thank you for that. And, as you did with the last question, when we get into the next round, I'm basically going to pick up where you left off there again, but I want to go to Suchi next, as we're talking about things that are kind of being rolled out quickly, and kind of putting concerns aside for the moment with your combined experience in cybersecurity, privacy, and health care. Obviously, there are a lot of healthcare needs, both related directly to COVID-19. But also just meeting people's basic healthcare needs during a time of kind of social distancing and, and shutting things down. So could you speak to some of your observations and some of the trends you're seeing in the healthcare space?

Suchi Pahi

Yeah, and I think there are two things exciting things going on in the healthcare space since COVID-19 happened, and even before that there was sort of a move towards this. So what is the uptick in telehealth which addresses a problem called whitespace? That based on some looking around, I've done my, my prior background was in health technology. And in Texas, we had this

area of Texas that we just called whitespace, because you couldn't get Internet access and you couldn't get good health providers. And so you had a two part problem there, which is fan we could really help cover some healthcare if we had telehealth. But we also don't have Internet access there. So we can't get to them with telehealth, and there's not any local providers. Um, and that was, I think, 12 years ago. And in those last 12 years, we've seen an increase in uptake of different telehealth providers. Texas has sort of been at the forefront of that. And I think it's also picked up in the Midwest and COVID-19 took like the The nice slow gradual rise and just rocketed you know. And that's been great because everyone should have access to health care or at least the opportunity to access health care. And they couldn't do that before. So I'm I'm pretty thrilled with the state of Internet connectivity and telehealth right now, because of the covid 19 pandemic. I think the other part that's really important from a health data privacy side is the court, like the care coordination and management side. And as someone who's you know, very much a privacy advocate. I really, really like and emphasize having patient privacy or user privacy, I think that's really critical because you're making important health decisions. There should be your health decisions, you should have control over that information. Um, however, that has to be balanced with, hey, if I have you as a patient in the ER, can I pull up the appropriate records for you. So you don't accidentally get pumped full of drugs that are going to kill you later. Um, and because of COVID-19, we saw sort of a loosening or alignment to an extent between mental health care, information and information in your health records. So Samsung, HIPAA, and the cares act. And so this type of, I guess, liberation for healthcare providers, and healthcare entities to be able to work together to actually care for user is something that I thought would take much longer to get to, but just sort of happens suddenly and more organically. And one of the worries that I have is that the things that we've we've loosened on the go, we won't be able to come back and pull back as we need to, and maybe we won't be able to build further as we need to on it either because a lot of times, healthcare privacy is so complicated. Congress members don't like to sit down and understand it and figure it out or listen to the experts. And so it's really hard to get movement on that. So I guess the plus side on the health privacy side is that more patients are getting treated and they're getting treated in a more efficient and effective manner. Um, and and the downside, potentially future state is that we get stuck here again for another 20 years until we see some movement that advances patient privacy rights and care coordination.

Dustin Loup

Yeah, thank you for that. A lot to think about there that hopefully we can unpack a little bit later. David, as you sit there in the corner in your dark room, wandering, what are some of the trends that are keeping you up at night?

David Morar

Yeah, thank you. it's not that dark, right. It's just it just got sort of cloudy outside. But well, the the biggest concern from my area, and that is on governance issues is that we're seeing a we're seeing a push from governments around the world, seeing the crisis as a as a potential for them to pass through legislation that otherwise they may not have been able to specifically dealing with the Internet. You know, there's a, in in the United States, in France and also in Brazil. The, the pandemic has been used as cover for, for bills to be just passed without, you know, by by saying that we need to make sure that This happens because it's for the safety of people mind and it's it's fighting misinformation or hate speech or it's fighting, you know, other horrible things like child sexual exploitation materials, they're, they're able to use that as cover because of the pandemic. And they're either, you know, successful in passing these laws like they were in France, partially successful like they like they are in the United States and in Brazil, with bills having gone through the having already started the process for for being passed. You know, in the United States, you can look at the EARNIT Act, which originally was basically created as a way to, you know, two birds one stone, both cripple encryption, and sort of mess with the intermediate liability regime that the United States has and then also in Brazil, with the rich No intent of the, of the fake news bill, which I think, you know, Yaso can maybe talk a bit more, you know, if you want, but the original idea with that was to sort of, to cut this information and because this information was a huge part in the, in the elections in Brazil, especially through WhatsApp, and you know that originally it was sort of this very bizarre mix of the most the most stringent law stringent intermediate liability law in Europe, which is the next big the German law that has, you know, strict fines and severe liability for for companies that don't take down in, you know, what is what can be seen as an almost immediate timeframe, between an hour and 24, depending on specific issues, of content that is sort of manifestly illegal. You know, the Brazilians also tried to do that, through the pack tried to pass it? Well, you know, they were hoping that everybody was looking in France, they were they were successful, they passed the law, which was, you know, very, very similar to Germany's next eg. And then France is a Constitutional Court said Actually, this is anti constitutional and they shut down most of the law. In the US. The EARNIT act was also seen as very, you know, potentially anti constitutional specifically dealing with the First Amendment and then all of a sudden, the the proponents of the bill, were able to, to change it up substantially while still, while still allowing it to be a horrible bill. So there's a bit of a concern there that as the pandemic continues, and as people sort of get a little bit more relaxed into it, maybe some of us will stop paying attention and and governments will be able to like, you know, push further, and even crazier bills. Who knows?

Dustin Loup

Yes, thank you, David. We certainly need to keep an eye on what's happening in wolf legislator and in other branches of the government. With that Muira, I wanted to move to you and maybe fold

the next two questions into each other here as we segue into the next section of questions. So you know, with with your focus on government, send their online communication have to imagine this is a pretty fascinating time to be following this stuff. So wanted to ask if there are any additional trends that you're seeing and maybe stuff that other people wouldn't notice. But also, as we think about these trends, which of them do you think will will continue once we go back to a state of normals that something that they can get away with now, because people are focused elsewhere? And just looking forward with that, what are the issues within that, that you think we're going to need to really focus in on and address once we come out of this?

Muir McCammon

Sure, a lot to say I'll try to keep it brief. Um, you know, the first thing that I would say as someone who's been studying this for a while is that when it comes to government use of social media, I don't necessarily want a return to the state of normal. I, for me, in an ideal world, what what the future would hold would be a government awareness and, frankly, an awareness among social media users in the United States and elsewhere. That platforms, the platforms that we're talking about here today are frail and feeble. And though they have many users, they are not necessarily the entirety of our future. And so what I see are is government agencies, in their communications and their emails with each other, both experimenting, right, trying to figure out what is actually appropriate content to put within a tweet. But more critically, I think that federal agencies are leaning into the idea that this is what they have. And they aren't thinking that creatively about how otherwise they could be in touch with people. Right. So I was talking to a friend yesterday, and we're talking about what a world without Twitter would look like and what it would mean for political communication in particular, you know, and I would urge people to imagine what that future could hold of, you know, in our circumstance we were talking about, well, what if you could just opt into text messages from different government agencies that would arrive just on your phone? Right? How would that change the communication? I'm particularly worried, and this is a global concern, of what a Twitter free or Facebook free world might look like. And we can tie this conversation this concerns the pandemic by just the following idea. People are posting all sorts of content from what they have seen and witnessed on the streets during the pandemic during Black Lives Matter protests, and they're posting that content on social media, right? What happens if Twitter is gone a decade from now? Where do those Where are those testimonials going to go? And I'm worried about that feature? And I think that in many ways, you know, that goes beyond just the US government's comfort with social media. And I don't mean to say that everyone is equally, all federal agencies are comfortable with it. But I would just say that, you know, as, as someone who studies, government archives, I'm very uncomfortable and worried about the fact that a lot of records that in the 80s and 90s would have been on paper in government agencies are now subject to disappearing in their entirety, when and if platforms fail. So that's kind of a

broader conversation. And it's definitely a concern that I think touches on governments around the world and gets into records laws. So in the United States, the law that could use some tweaking on that front would be the Federal Records Act. It really only dictates government records and the way that the government is setup right now, government records don't really entail tweets and other communications that are happening on these platforms. But they do include things like emails that go into drafting a tweet. So I think it's important both to turn to the law to imagine a different law and also to imagine what might happen if some of these platforms were to go Bye bye. And I'll stop there.

Dustin Loup

Well, thank you for that. And I just want to, as we kind of move into this last section, and we have about a little 18 minutes left on the scheduled time here. If you want to post any any questions into the chat or the q&a pod, please do in the meantime, I'll kind of continue to drill down on focusing in on the continuation of the trends are the potential to return back to normal And what what considerations we need to be making and what issues we should be addressing regarding that. So Suchi, you mentioned something that was pretty kind of depressing to think about, which is another 20 years to reach a level of, you know, prep, adequate privacy for for health records now that we've moved, you know, accelerated many years and the adoption of telehealth. So it sounds like you think that the trend of telehealth will continue but could you talk a little bit more about what we can kind of do to claw back those rights for patients?

Dustin Loup

Did we perhaps lose Suchi. I think maybe she dropped. So while she gets back online. Yaso, why don't why don't we go to you? And just, you mentioned that, you know, there's a lot of concerns that people have that are being pushed for, like later consideration and like anything, it's always hard to to claw those back. So can you talk a little bit about more about those concerns and perhaps how we can start to to take those into consideration even retroactively if there's anything that we can do?

Yasodara Cordova

Yes, that's a very broad question. I think we could separate into just to make it easy for us to create like a certain typical topology for the issues we could separate into health, ecommerce education, for example, and finance, apart from social media, because we already know what are the issues in social media, we already know what are the main problems and it looks like the platforms are trying to solve that now. Because there have been heat both way boycotts or the pressure of government. So I would say that for e commerce, we have the problem of monopolies. It's very, very serious. The trend of killing local markets, it's big. It's something that will kill more

and more small companies and business that's a problem. So the monopoly of like, for example, Amazon, it's a monopoly that we don't want to, to see grow more than it's growing already. And it's a concern that we are leaving aside for a while because we need our stuff. We need to deliver things to people. And somehow it's something that's already in place. And we're using it right now. A lot and online education. It's a mess.

Yasodara Cordova

So we have a bunch of platforms, none of them really is prepared to, to receive such an the thing to see the increase in volume of users, and they all have loopholes in terms of privacy, data laws, spaces for online abuse. So I would say that this is a huge area for finding 10 bed tendencies. Veterans. I'd say that health is a is an area that also we could divide into public health and private health, because they're very different in terms of infrastructure and the problems they bring. But among all of these, I think there's a very good trend. Something that makes me have a little bit of hope is the fact that more people are going online. In the next years, we'll have more people using their own languages and populating the Internet with content that's diverse, and this is really good. We will have more people recording audios, and uploading these to platforms, and we might have more images, more data, online. That's coming not just from official sources, but from people. This can bring more problems, can be more this mistrust and problems with fake news, but this will also bring more diversity for the Internet for sure. I think that some governments are just finishing up their platforms, and this will bring more opportunities for people to somehow talk with these governments. I agree with Muira, it's good that they use the social media platforms, it's good that they are streaming online, streaming their sessions. In Brazil, fo r example, they went online in the second, the first month of lock own. So I think it's a good trend amidst all this mess we're in.

Dustin Loup

Well, thank you for a little bit of a cautiously optimistic outlook on on the trends that we're seeing. And I want to go to a few questions. But before we do that we lost Suchi mid-question, so I just wanted to go back to you, really quick, and I don't know how much of the question you caught, but basically just wanted to hear a little bit more about how we can avoid 20 years until we get to a point of proper healthcare privacy now that the technology, and the adoptions, already kind of there.

Suchi Pahi

Yeah, I'm gonna roll back your assertion just a little bit, because network infrastructure is still pretty terrible, and very expensive, like it's really not affordable once you get out into the suburbs. It's even worse when you get into the rural areas, there's a lot of price gouging. I'm hoping what

what we get over the next 20 years is more tech natives who are privacy advocates in the health and non-health fields come into public life, and into think tanks and things like that, and keep pushing this privacy narrative because they understand the text so well. And the second piece of it is, I'm hoping the Generation Z, the ones who are like burn it all down, are also like, make Internet affordable for everyone, so that people can access health care and education in the US.

Dustin Loup

Yeah, thank you. Thank you for that. And we have two questions in the chat here. I want to go to to Mike Nelson's first. I think that this is something that everybody can probably speak to. His question is the Clean Network initiative is based on the mindset that we must protect our part of cyberspace. How do we stop the impulse of imposing borders on the Internet? And he also wants to know, what's a better bumper sticker for that?

David Morar

If I can jump in on this. I think that, first of all, fantastic question. Secondly, I think that the the best solution for this would be to dig into our existing institutions, specifically in terms of Internet governance, specifically in terms of a global aspect of the Internet, that then requires global governance. You know, to see the United States act in a way that most of us in the Internet Governance space were expecting places like China or Russia to do, and they are doing it, is sad? I think that we're, we're reaching a point where, you know, a big fear of a lot of people that are in the Internet Governance space has been for a few years now, Is the Internet going to fragment? And I don't think for a while, the question was, is the United States going to be the one to do that? So, I think that the solution is to, as, you know, faulty as they are, because there is no perfect institution, because institutions have to be run by humans, and we're all imperfect, as imperfect as they are, and as, you know, potentially corrupt, or potentially slow, or potentially whatever, I think that it's important to hold strong, and to let the institutions that are supposed to take care of these big important issues, from ICANN to, you know, any other Global institution, to actually do that, and to have cooperation between governments not just in concerns of terrorism, or concerns of hate speech, but throughout normal issues, let's say.

Dustin Loup

Yeah, thank you, David and Muira, I think you also expressed interest in answering this question as well. So let's go to you next.

Muira McCammon

Yeah, I just think there also needs to be a push for a bit of a societal shift on a few fronts. When it comes to this question. You know, the first is that when I was growing up, the word on the street

was kind of that the major social media platforms, the ideas about the Internet, were coming out of Silicon Valley. Obviously, that is not the truth. And there needs to be a shift among, I would say a lot of the major US newsrooms and how they cover technology and tech narratives to really make the coverage To be more inclusive, and to involve, you know, interviews with people who are scattered globally. And, you know, I think so far, there's been, oftentimes a focus on, you know, where the countries where their Internet shutdowns, where are the countries that, you know, are banning Twitter today? And you know, there's a real need for more comprehensive tech journalism. There's, of course, some outlets that are managing that, but they hold a lot of power. In this in this equation. The other thing that I would say is, you know, there's a need to also revisit ideas of what the web was going to be. And this is something that I would just know, you know, most classrooms that I've passed through on my journey and understanding technology before college did not include much mention of how the Internet came to be and these visions of you know how it was for for the world in a way. And so I think there's a real need to also ask pedagogical questions of how can we You know, in the United States and other countries as well create curricula that teach, teach, you know, teach netizens to imagine a different future than what the US State Department is currently putting out into the world. That doesn't that's not going to have an overnight impact on the policy question. But I think it it, it is still important to mention in this conversation.

Dustin Loup

Yeah, thank you for that. And Yaso and Suchi? Do you have any any thoughts on kind of how we can keep the Internet a global resource and avoid putting up barriers?

Suchi Pahi

No.

Dustin Loup

Well, why don't we move into a quick lightning round. And, and just hear from from each of our panelists here to kind of point out quickly one pro and one con from the changes that you've seen happen on the Internet over the past past few months. And let's start with the con first and then give the pro so we can have a nice optimistic end to our Friday. Feel free to -- Suchi, you can start.

Suchi Pahi

Sure, ah, the con, definitely the speed at which misinformation spreads. I get crazy videos from my relatives in India, and I'm very over it. So.

Dustin Loup

David?

David Morar

I would say the the biggest con is the over reliance on screens and technology that, you know, up until this point, I think a lot of people were were trying to manage in a way that wasn't taking over their lives, and now we've had to sort of backtrack on that. And I think that, you know, it's important to, to realize that.

David Morar

Yaso?

Yasodara Cordova

I think is it's interesting, because what David just said, because one thing that I think is good is that, suddenly I stopped listening and hearing people saying that I'm a bad mother because I allow my son to play more than five hours online Minecraft. So this has been really good for me. But I think the experience of having more people having access to the benefits that the Internet brings in terms of connection? This is really good. I think some countries are experiencing more access, not just information about news and the situation globally, but also about relatives. This is really good. It might be the first time people were hearing about long distance parents, or friends, or relatives. This is really good. I think one of the terrible consequences of this is that more governments are creating expertise that's needed to resort to takedowns and shutting down the Internet, I think.

Dustin Loup

Okay, yeah, thank you for that. Muira, why don't you go con pro, and then David pro, Suchi pro, and then we'll go ahead and leave it at that.

Muira McCammon

Got it. Um, so government websites are a mess. And I think in the next few months, with the election, we are going to see more deletion, we are going to see more archives disappeared from the Internet. And the good news is, is that citizens and people in United States, and around the world, are getting smart and they're creating their own archives. There's screenshotting, they are not relying on platforms or the government to be there for them. And I just want to quickly say that the other big con is that, you know, paper is at risk, the US Postal Service is in decline. Places that have not had Internet access, I'm thinking about America's incarcerated population, is at risk

of just losing an entire method of communication with the world, and I think that belongs in this conversation to, and that is a big con. There's no pro for that.

Dustin Loup

David and Suchi, end us with some pros here.

David Morar

Sure, I'll go. I think that, as small as it is, there's always a silver lining. And I think the silver lining to this is that we're getting a real life stress test of everything that's important in our lives, and important in the way that we deal with technology. And I think that, however we pass this stress test, we now know the places where we need to work on the issues we need to get better at. And, you know, I have faith that -- it started already -- so I have faith that we will continue to make the Internet, the world, and ourselves better.

Suchi Pahi

Yeah, I'm also optimistic, or maybe a realist, and everyone's least favorite phrase is the free market, but there is a free market of ideas, and this time it's flowing westward, about data privacy. I'm thrilled to see that, I'm thrilled to see the push for more privacy for like longitudinal data, across your lifetime, coming from Europe. So.

Dustin Loup

Awesome. Well, thank you to all of you. I wish we had longer. I could continue to drill you with questions for much, much longer. Unfortunately, we're at time and it's It's late in the week. But I want to thank you all for joining and thank you to the Internet Law and Policy Foundry, and Jeremy, Leah, and Nakia for pulling together this great event, and looking forward to continuing to work with you all, and see you all on the following discussions and roundtables.

Suchi Pahi

Thank you. Bye, guys.

David Morar

Thank you.

Muira McCammon

Thank you.

Yasodara Cordova

Bye Bye